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## COMBINED DECLARATION AND POWER OF ATTORNEY

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As a below named inventor(s), I hereby declare that:

### TYPE OF DECLARATION

This declaration is for a **UTILITY** patent application.

### INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if two or more names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

### TITLE OF INVENTION

### BIOPSY NEEDLE DEVICE

### SPECIFICATION IDENTIFICATION

The specification

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ and has U.S. Application Number \_\_\_\_\_,  
and was amended on \_\_\_\_\_.

### ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56.

## **PRIORITY**

The present application claims the benefit under 35 U.S.C. §120 of the following Applications:

| <b>Application Serial Number</b> | <b>Filing Date</b> | <b>Status</b> |
|----------------------------------|--------------------|---------------|
| 09/809,357                       | March 15, 2001     | Pending       |
| 10/202,201                       | July 23, 2002      | Pending       |
| 60/424,655                       | November 7, 2002   | Pending       |
| 10/322,288                       | December 17, 2002  | Pending       |
| 10/409,819                       | April 8, 2003      | Pending       |

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## **POWER OF ATTORNEY**

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

### **APPOINTED PRACTITIONER(S)**

Paul S. Evans, Reg. No. 36,130

of Specialized Health Products International, Inc., 585 West 500 South, Bountiful, Utah 84010;

|                                     |                                  |
|-------------------------------------|----------------------------------|
| Mark S. Leonardo, Reg. No. 41,433   | Barry C. Nelson, Reg. No. 46,951 |
| Peter B. Sorell, Reg. No. 44,349    | David D. Lowry, Reg. No. 38,538  |
| John C. Serio, Reg. No. 39,238      | Mark A. Hofer, Reg. No. 30,068   |
| Joseph P. Quinn, Reg. No. 45,029    | Lucy Elandjian, Reg. No. 46,164  |
| Brian L. Michaelis, Reg. No. 34,221 | Maria Eliseeva, Reg. No. 43,328  |
| John J. Penny, Jr., Reg. No. 36,984 |                                  |

all of Brown Rudnick Berlack Israels LLP, One Financial Center, Boston, MA 02111

### **SEND CORRESPONDENCE TO**

Paul S. Evans, Esq.  
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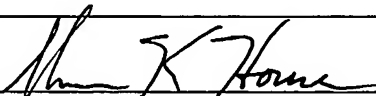
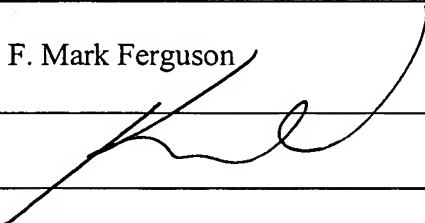
### **DIRECT TELEPHONE CALLS TO:**


Paul S. Evans, (801) 298-3360

## DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## SIGNATURE(S)

|                                |   |                           |
|--------------------------------|---|---------------------------|
| <b>First Inventor:</b>         | Shawn K. Horner   |                           |
| <b>Inventor's signature:</b>   |    | <b>Date</b><br>12/16/2003 |
| <b>Country of Citizenship:</b> | USA   |                           |
| <b>Residence:</b>              | 1356 West 2100 South<br>Woods Cross, UT 84087                                       |                           |
| <b>Post Office Address:</b>    | Same as above   |                           |
| <b>Second Inventor:</b>        | F. Mark Ferguson  |                           |
| <b>Inventor's signature:</b>   |  | <b>Date</b><br>12/16/2003 |
| <b>Country of Citizenship:</b> | USA   |                           |
| <b>Residence:</b>              | 1595 Treeview Drive<br>Salt Lake City, UT 84124                                     |                           |
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|                                |  |                           |
|--------------------------------|--|---------------------------|
| <b>Third Inventor:</b>         | Donald D. Solomon  |                           |
| <b>Inventor's signature:</b>   |  | <b>Date</b><br>12/16/2003 |
| <b>Country of Citizenship:</b> | USA  |                           |
| <b>Residence:</b>              | 596 E. Eagleridge Drive<br>North Salt Lake, UT 84054                               |                           |
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